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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 5-21-70412 MAG
)	
Plaintiff,)	
)	STIPULATION AND ORDER
v.)	CONTINUING THE STATUS
)	CONFERENCE AND EXCLUDING RULE
DONALD SIAO,)	5 AND SPEEDY TRIAL TIME FROM
)	JUNE 28, 2021 TO JULY 12, 2021
Defendant.)	
)	
)	

The parties, through their counsel of record, stipulate as follows:

On April 26, 2021, the parties appeared for a status conference in the above-captioned matter.
The Court set the next appearance in the case for June 28, 2021.

The parties are currently discussing a resolution to this case. The government has produced a significant amount of discovery in this case, and plans to produce more discovery in the near future. Accordingly, the parties wish to continue the June 28, 2021 appearance until July 12, 2021. Therefore, the parties hereby stipulate and agree:

STIPULATION AND ORDER

- 1 1. The time between June 28, 2021 and July 12, 2021, should be excluded under the Speedy
2 Trial Act because failure to grant the requested continuance would deny defense counsel the
3 reasonable time necessary for effective preparation, taking into account the exercise of due
4 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The ends of justice served by granting the
5 requested continuance outweigh the best interests of the public and the defendant in a speedy
6 trial and in the prompt disposition of criminal cases. *See id.* § 3161(h)(7)(A).
- 7 2. Taking into account the public interest in the prompt disposition of criminal cases, there is
8 good cause to extend the time limits under Federal Rule of Criminal Procedure 5.1(c).
9 Accordingly, the time limits for conducting a preliminary hearing are tolled from June 28,
10 2021, until July 12, 2021.

11 IT IS SO STIPULATED.

13 Dated: June 21, 2021

/s/

Nelson McElmurry
Attorney for Defendant Donald Siao

15 Dated: June 21, 2021

/s/

Ross Weingarten
Assistant United States Attorney

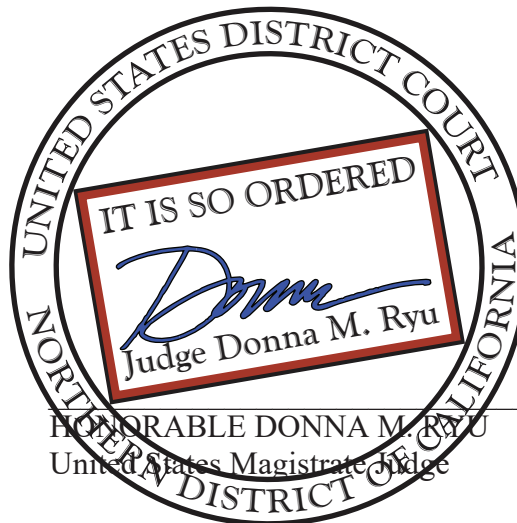
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ORDER

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between June 28, 2021 and July 12, 2021, would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between June 28, 2021 and July 12, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act (based on the exclusions set forth above). *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b).

Therefore, IT IS HEREBY ORDERED that the time between June 28, 2021 and July 12, 2021 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and Federal Rule of Criminal Procedure 5.1.

DATED: June 25, 2021



HONORABLE DONNA M. RYU
United States Magistrate Judge